

STATE OF CALIFORNIA  
ENERGY RESOURCES CONSERVATION  
AND DEVELOPMENT COMMISSION

<b>DOCKET</b> <b>06-AFC-3</b>
<b>DATE</b> FEB 21 2007
<b>RECD.</b> FEB 21 2007

In the Matter of: ) Docket No. 06-AFC-3  
Application For Certification )  
For the South Bay Replacement Project ) STAFF'S REQUEST FOR EXTENSION OF  
By LSP South Bay, LLC ) TIME TO SUBMIT FURTHER DATA  
 ) REQUESTS  
 )  
 )  
 )


On June 30, 2006, the Application for Certification (AFC) for the South Bay Replacement Project was submitted by LSP South Bay, LLC (Applicant) to the California Energy Commission (Energy Commission) for review. On August 28, 2006, the AFC was deemed complete at a regularly scheduled Business meeting of the Energy Commission, which began the Commission's 12-month formal review process.

Energy Commission staff submitted data requests (Requests 1-98) to the Applicant on October 31, 2006. Applicant responded to most of staff's data requests (Set 1A) on November 29, 2006, and to the remainder (Set 1B) on February 14, 2007. A staff Data Response Workshop was held in Chula Vista on December 11, 2007 to discuss any issues that remained from Applicant's Set 1A responses. A second Data Response Workshop is scheduled to be held on February 26, 2007, to discuss any remaining issues in Applicant's responses, Set 1B. Staff has also prepared a second round of data requests in the technical areas of Biological Resources, Water Resources, Cultural Resources and Land Use, to be submitted no later than February 23, 2007.

Title 20 of the California Code of Regulations, section 1716(e) states as follows:

(e) All requests for information shall be submitted no later than 180 days from the date the commission determines an application is complete, unless the committee allows requests for information at a later time for good cause shown.

Based on section 1716(e), all data requests would be required to be submitted by February 26, 2007. However, since Applicant filed its responses, Set 1B on February 14, 2007, nearly 3 ½ months after staff's data requests were submitted, and the workshop is not scheduled until February 26, 2007, pursuant to 1716(e), staff would be unable to ask any follow-up questions of

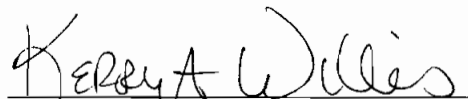
Proof of Service (Revised 2/8/07) filed with original.  
Mailed from Sacramento on 2/21/2007 

the Applicant following the workshop. In addition, after receiving Applicant's responses to Staff's second round of data requests, staff would be denied any further questions prior to drafting the Preliminary Staff Assessment (PSA). Without completing discovery, staff may not be able to complete all technical sections of its PSA, thereby further lengthening the AFC review time.

For these reasons, staff respectfully requests that the Committee grant staff an extension of 28 days, until March 26, 2007, to complete discovery in this case.

DATED: February 21, 2007

Respectfully submitted,

A handwritten signature in cursive script, reading "Kerry A. Willis", written over a horizontal line.

KERRY A. WILLIS  
Senior Staff Counsel

**BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT COMMISSION OF THE  
STATE OF CALIFORNIA**

**APPLICATION FOR CERTIFICATION  
FOR THE SOUTH BAY  
REPLACEMENT PROJECT**

**Docket No. 06-AFC-3  
PROOF OF SERVICE  
(Revised 2/8/07)**

**INSTRUCTIONS:** All parties shall 1) send an original signed document plus 12 copies OR 2) mail one original signed copy AND e-mail the document to the web address below, AND 3) all parties shall also send a printed OR electronic copy of the documents that shall include a proof of service declaration to each of the individuals on the proof of service:

**DOCKET UNIT**

***Send the original signed document  
plus the required 12 copies to the  
address below.***

**CALIFORNIA ENERGY COMMISSION  
DOCKET UNIT, MS-4  
Attn: Docket No. 06-AFC-3  
1516 Ninth Street  
Sacramento, CA 95814-5512**

\* \* \* \*

In addition to the documents sent to the Commission Docket Unit, also send individual copies of any documents to:

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**DECLARATION OF SERVICE**

I, Julie Mumme, declare that on February 21, 2007, I deposited copies of the attached **STAFF'S REQUEST FOR EXTENSION OF TIME TO SUBMIT FURTHER DATA REQUESTS**, in the United States mail at Sacramento, CA with first-class postage thereon fully prepaid and addressed to those identified on the Proof of Service list above.

**OR**

Transmission via electronic mail was consistent with the requirements of California Code of Regulations, title 20, sections 1209, 1209.5, and 1210. All electronic copies were sent to all those identified on the Proof of Service list above.

I declare under penalty of perjury that the foregoing is true and correct.

  
[signature]